

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Vice Chair Jon Sonju, on March 15, 2011 at 3:00 PM, in Room 405
Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chairman (R)
Sen. Jon Sonju, Vice Chairman (R)
Sen. Ron Arthun (R)
Sen. Anders Blewett (D)
Sen. Edward Buttrey (R)
Sen. Carmine Mowbray (R)
Sen. Bruce Tutvedt (R)
Sen. Gene Vuckovich (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Mary Caferro (D)
Sen. Jim Keane (D)
Sen. David E. Wanzonried (D)

Members Absent:

None

Staff Present:

Kirk Lundby, Committee Secretary
Megan Moore, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 401, 3/4/2011; HB 523, 3/4/2011; HB 584, 3/4/2011;
HJ 17, 3/4/2011
Executive Action: SB 251 Do Pass As Amended
HB 401 Do Concur
HB 523 Do Concur
HJ 17 Do Concur

HEARING ON HB 584

Opening Statement by Sponsor:

00:01:06 Rep. Robert (Bob) Mehlhoff (D), HD 26, opened the hearing on HB 584, Allow
use of older license plates on motor vehicles.
00:02:20 Chairman Jones left the committee room
00:02:34 Sen. Tutvedt left the committee room

Proponents' Testimony:

00:05:04 Rep. Gordon Hendrick, HD 14
00:05:33 Vice Chair Sonju turned chair duties over to Sen. Zinke and left the committee
room
00:06:37 Sen. Wanzenried entered the committee room
00:08:04 Bob Gilbert, representing Montana Tow Truck Association (MTTA)

Opponents' Testimony:

00:09:55 Ronda Wiggers, representing the Montana County Treasurers Association
(MCTA)

Informational Testimony:

00:12:24 Gayle Lambert, Administrator, Montana Correctional Enterprises (MCE)

Questions from Committee Members and Responses:

00:13:24 Sen. Buttrey
00:13:37 Gayle Lambert
00:13:49 Sen. Buttrey
00:13:55 Gayle Lambert
00:14:00 Brenda Nordlund, Administrator, Motor Vehicle Division, Department of Justice
(DOJ)
00:17:22 Sen. Buttrey
00:17:40 Rep. Mehlhoff
00:18:09 Sen. Buttrey
00:18:29 Sen. Zinke
00:18:42 Brenda Nordlund, DOJ
00:19:32 Sen. Zinke
00:19:38 Brenda Nordlund

Closing by Sponsor:

00:19:51 Rep. Mehlhoff

HEARING ON HB 523

Opening Statement by Sponsor:

00:22:19 Rep. Elsie Arntzen (R), HD 53, opened the hearing on HB 523, Generally revise the tow truck act.

Proponents' Testimony:

00:25:34 Kelley Hubbard, representing Department of Justice (DOJ)

EXHIBIT(his58a01)

00:31:31 Gary Becker, District Commander, Montana Highway Patrol (MHP)

00:33:35 Bob Gilbert, MTTA

00:34:17 Chairman Jones entered the committee room

00:34:32 Jim Dusenberry, President, MTTA

00:35:21 Sen. Wanzenried left the committee room

00:36:11 Carl Halcro, President, Great Falls Tow Truck Association (GFTTA)

00:36:33 Dennis Frownfelter

00:36:51 Terry Morrison

00:37:25 Tom Ruschkewicz, Vice President, MTTA

00:38:18 Scott Wolff, Owner, Iron Horse Towing (IHT)

00:38:31 Lee Hackman

00:38:54 Andrew Learn

Opponents' Testimony:

None

Informational Testimony:

00:39:18 Jason Mohr, Performance Auditor, Legislative Audit Division (LAD)

Questions from Committee Members and Responses:

00:40:02 Sen. Mowbray

00:40:52 Rep. Arntzen

00:41:07 Gary Becker, MHP

Closing by Sponsor:

00:42:23 Rep. Arntzen

00:44:42 Sen. Zinke turned chair duties over to Chairman Jones

HEARING ON HB 401

Opening Statement by Sponsor:

00:44:49 Rep. Elsie Arntzen (R), HD 53, opened the hearing on HB 401, Revise definition of rotation area in tow truck act.

Proponents' Testimony:

00:46:07 Kelley Hubbard, DOJ
EXHIBIT(his58a02)
00:49:37 Gary Becker, MHP
00:53:41 Bob Gilbert, MTTA
00:54:09 Jim Dusenberry, MTTA
00:55:32 Tom Ruschkewicz
00:55:52 Scott Wolff, IHT
00:56:02 Dennis Frownfelter
00:56:48 Terry Morrison
00:57:11 Lee Hackman

Opponents' Testimony:

None

Informational Testimony:

00:57:50 Jason Mohr, LAD

Questions from Committee Members and Responses:

00:58:09 Sen. Buttrey
00:58:27 Gary Becker
00:59:40 Sen. Buttrey
01:00:24 Gary Becker
01:01:42 Sen. Mowbray
01:01:58 Jim Dusenberry

Closing by Sponsor:

01:02:17 Rep. Artnzen
01:04:06 Sen. Keane entered the committee room

EXECUTIVE ACTION ON HB 523

01:04:20 **Motion/Vote:** Sen. Mowbray moved that **HB 523 BE CONCURRED IN**. Motion carried 8-0 by voice vote of those present and voting. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON HB 401

01:04:58 **Motion/Vote:** Sen. Mowbray moved that **HB 401 BE CONCURRED IN**. Motion carried 8-0 by voice vote of those present and voting. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON HB 584

01:05:45 **Motion:** Sen. Buttrey moved that **HB 584 BE CONCURRED IN**.

01:05:49 **Motion:** Sen. Buttrey moved that **HB 584 BE AMENDED.**

Discussion:

01:06:11 Sen. Mowbray

01:06:35 Sen. Buttrey

01:06:57 Sen. Zinke

01:07:09 Sen. Buttrey

01:07:45 Megan Moore, Legislative Services Division (LSD)

01:08:14 Sen. Keane

01:09:13 Chairman Jones

01:09:35 Sen. Buttrey withdraws motion that **HB 584 BE AMENDED.**

01:09:56 Sen. Buttrey withdraws motion that **HB 584 BE CONCURRED IN.**

EXECUTIVE ACTION ON SB 251

01:11:05 **Motion:** Sen. Keane moved that **SB 251 DO PASS.**

01:11:11 **Motion:** Sen. Keane moved that **SB 251 BE AMENDED.**

EXHIBIT(his58a03)

Discussion:

01:11:43 Megan Moore, LSD

01:12:48 Sen. Vuckovich

01:13:00 Sen. Keane

01:13:24 Sen. Zinke

01:14:36 Sen. Buttrey

01:14:57 Sen. Blewett

01:16:12 Sen. Vuckovich

01:17:13 Chairman Jones

01:17:22 **Vote:** Motion carried 8-0 by voice vote of those present and voting.

01:17:40 **Motion:** Sen. Keane moved that **SB 251 DO PASS AS AMENDED.**

Discussion:

01:17:47 Sen. Buttrey

01:18:08 Sen. Blewett

01:19:32 Sen. Vuckovich

01:20:13 Sen. Mowbray

01:20:41 Sen. Buttrey

01:21:41 **Vote:** Motion carried 8-4 by roll call vote with Sen. Arthun, Sen. Buttrey, Sen. Tutvedt and Sen. Zinke voting no. Sen. Caferro, Sen. Sonju, Sen. Tutvedt and Sen. Wanzenried voted by proxy.

Discussion:

01:27:02 Chairman Jones
01:27:30 Sen. Blewett left the committee room

01:27:40 recess
01:30:35 reconvene

HEARING ON HJ 17

Opening Statement by Sponsor:

01:30:41 Sen. Ryan Zinke (R), SD 2, opened the hearing on behalf of Rep. Wayne Stahl (R), HD 35, on HJ 17, Resolution supporting Monchy Morgan extended-hour port.

[**EXHIBIT**](#)(his58a04)

Proponents' Testimony:

01:31:26 Courtney Moles, representing Phillco Economic Growth Council
01:33:21 Vice Chair Sonju entered the committee room
[**EXHIBIT**](#)(his58a05)
01:34:10 Aaron Murray, representing Community Futures Southwest (CFS)
[**EXHIBIT**](#)(his58a06)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:40:25 Sen. Zinke
01:41:49 Aaron Murray, CFS
01:44:03 Sen. Buttrey
01:44:22 Aaron Murray
01:44:37 Sen. Buttrey
01:44:51 Aaron Murray
01:45:09 Sen. Vuckovich
01:46:14 Aaron Murray

Closing by Sponsor:

01:48:03 Rep. Stahl

EXECUTIVE ACTION ON HJ 17

01:49:21 **Motion/Vote:** Sen. Mowbray moved that **HJ 17 BE CONCURRED IN**. Motion carried 8-0 by voice vote of those present and voting. Sen. Zinke will carry the bill.

Additional Exhibits:

The following exhibit was received today relating to HB 265 heard in committee on 3/10/2011

EXHIBIT(his58a07)

Packet dated 3/14/2011 from Gregory Van Horssen

The following exhibit was received today relating to HB 302 heard in committee on 3/10/2011

EXHIBIT(his58a08)

Letter dated 3/11/2011 from Brenda Nordlund

ADJOURNMENT

Adjournment:
01:50:06

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([his58aad.pdf](#))